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STATE OF VERMONT
CHITTENDEN COUNTY, SS.

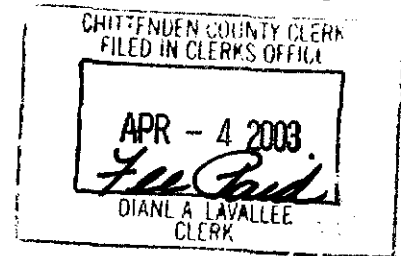
CHITTENDEN SUPERIOR COURT
DOCKET NO. *417-03 Cnc*

2: 03-CV-175

JOSEPH DAVIS

V.

MICHAEL BROUILLETTE,
MICHAEL STUPIK, and
UNNAMED LAW ENFORCEMENT OFFICERS



COMPLAINT AND JURY DEMAND

NOW COMES Joseph Davis, by and through his attorneys, Langrock Sperry & Wool, LLP, and complains as follows:

1. On November 5, 2001, Plaintiff Joseph Davis was at the Frank W. Whitcomb Rock Quarry in Colchester where he witnessed the murder of Kevin Moulton by Darrell Bruce.
2. Plaintiff was handcuffed by two law enforcement officers, and upon information and belief these officers were Defendant Michael Brouillette and Defendant Michael Stupik of the Winooski Police Department.
3. Defendants used unreasonable and excessive force in placing Plaintiff in handcuffs, which unreasonable and excessive force caused severe bodily injury to Plaintiff, including damage to his back.
4. Defendants' acts were committed willfully, wantonly and maliciously, and motivated by evil motive or intent.
5. Defendants' acts were recklessly and/or callously and/or deliberately indifferent to Plaintiff's rights under the United States Constitution.

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6. As a direct and proximate result of the acts described above, Plaintiff has been damaged, which damage includes severe physical injury, pain and suffering, severe emotional and mental distress, medical expenses, lost wages, and other compensatory damages.

7. Defendants, acting under color of state law, deprived Plaintiff of his right to be free from unreasonable seizures under the Fourth Amendment of the United States Constitution, and Defendants are liable in their individual capacities to Plaintiff under 42 U.S.C. § 1983.

8. Unnamed law enforcement officers is a fictitious name, intended to represent officers who committed, participated in, or encouraged the above acts but who have not yet been identified. Plaintiff reserves the right to name these Defendants when their identities are learned.

WHEREFORE, Plaintiff demands judgment and award against Defendants, or against all or some of these Defendants, in the amount of his damages, together with interest, costs, and such other relief as Defendant is entitled to under the law and as the Court may deem just and proper, including attorneys' fees and punitive damages.

DATED at Middlebury, Vermont, this 3 day of April, 2003.

LANGROCK SPERRY & WOOL, LLP

By: 

Devin McLaughlin
P.O. Drawer 351
Middlebury, VT 05753

Attorneys for Plaintiff

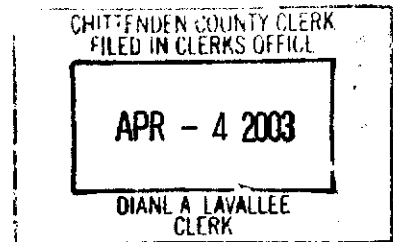
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JURY DEMAND

NOW COMES the Plaintiff Joseph Davis, by and through his attorneys, Langrock Sperry & Wool, LLP, and hereby demands a trial by jury as to all issues.

DATED at Middlebury, Vermont, this 3 day of April, 2003.

LANGROCK SPERRY & WOOL, LLP

By: _____

Devin McLaughlin
P.O. Drawer 351
Middlebury, VT 05753

Attorneys for Plaintiff